

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM SHINAVER,

Plaintiff,

Case No. 1:08-CV-955

v.

Hon. Gordon J. Quist

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on August 5, 2009. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed August 5, 2009, is approved and adopted as the opinion of the court. The Commissioner's decision is **reversed and remanded** pursuant to sentence four of 42 U.S.C. § 405(g) for further factual findings regarding Plaintiff's residual functional capacity, as set forth more fully in the report and recommendation.

This case is **concluded**.

Dated: September 11, 2009

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE